

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
-against-	:	21-CR-433 (RMB)
	:	
EMMANUEL BARNES,	:	<u>ORDER</u>
	:	
Defendant.	:	
-----X		

ONA T. WANG, United States Magistrate Judge:

Defendant was arrested this morning and was scheduled to be presented before me. Defense counsel met with Mr. Barnes earlier and expressed concerns that Mr. Barnes may not be competent to be presented today. The Court then held a status conference instead of a presentment. Mr. Barnes was not able to attend.

Based on counsel's representations on the record and my review of the "After Visit Summary" from Mr. Barnes's earlier hospital visit, I find that Mr. Barnes is not competent to proceed with a presentment today. Counsel has waived speedy presentment on his behalf. It is hereby **ORDERED**:

- 1) That Mr. Barnes remain in the custody of the U.S. Marshals;
- 2) That Mr. Barnes be taken back to the hospital for reassessment and treatment for, *inter alia*, the infected hand injury and detox/withdrawal as noted on the earlier "After Visit Summary;" and
- 3) Counsel is directed to file a status letter no later than Friday, February 7, 2025 if a presentment cannot be scheduled this week.

SO ORDERED.

Dated: February 4, 2025
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge